

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
NOVEMBER 21, 2005
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Central Services Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner David Sandifer, Chairman
Commissioner May Moore
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Jana Berg, Assistant County Attorney
Debby Gore, Clerk to the Board
Ann Hardy, Fiscal Operations Director

Tony Cummings, Chief Deputy

ABSENT: Commissioner Phil Norris, Vice-Chairman

I. CALL TO ORDER

Chairman Sandifer called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Sandifer asked if there were any adjustments to the agenda. There were no adjustments requested.

Commissioner Sue moved to approve the agenda. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Sandifer asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda.

1. Steve Sulkey addressed the Board in opposition of the ETJ proposed by the Town of Boiling Spring Lakes. Mr. Sulkey stated that there was no purpose in this proposal and asked that the Board deny any requests.

2. Jack Early, spoke in opposition to the proposed ETJ also and stated opposition to the paving of Antennae Farm Road also.

V. APPROVAL OF CONSENT AGENDA

Commissioner Sue moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

A. Tax Matters

- 1) Monthly Tax Collection Report
- 2) Motor Vehicle Valuation & Levy – July
- 3) Tax Releases for November 2005
- 4) Fire Fee Releases for November 2005

B. Finance

FY 2004-2005 budget amendments and financial items:

1) Social Services Fund Amendment 4

State Revenue Restricted Increase \$1,605,667

The Social Services Department requested that the appropriation for DSS Assistance be increased due to the authorization of additional State Child Care funding for fiscal year 2006. The total State authorization is \$4,604,862. The original budget was \$2,999,195, resulting in the increase requested of \$1,605,667. There are no additional county funds involved in this amendment

2) Enterprise Capital Project Fund Amendment 13

Enterprise Capital Reserve Fund Amendment 11

These amendments transfer \$6,522 from the enterprise capital project fund to the enterprise capital reserve fund for future projects. The funds were left over from a closed project and are requested to be restored to the reserve fund for future designation. There are no additional county funds involved in this amendment.

3) School Capital Reserve Fund Amendment 6

Special School Capital Reserve Fund Amendment 4

These amendments appropriate funds received into the fund from sales tax revenue or ad Valorem revenue and investment earnings for future projects to be approved by the Board of Commissioners. These amendments do not authorize the expenditure of any funds. The amendments only record a budget for funds already received. This process will facilitate the tracking reporting of funds available for appropriation. There are no additional county funds involved in this amendment.

4) School Capital Reserve Fund Amendment 4

Funds set aside in the school capital reserve to reimburse the general fund for school COPS debt payments were not transferred to the General Fund in the fiscal years ending June 30, 2004 and 2005. School capital reserve funds operate on an annual basis. In order to reimburse the general fund for amounts due a budget amendment to carryover the appropriation made in the prior years is necessary in this fiscal year. The payments made on behalf of the schools for COPS debt total \$2,873,843. This amendment will authorize the transfer of that amount from the sales tax funds to replenish the general fund. There are no additional county funds involved in this amendment.

5) The County is in the process of implementing a diversified investment program under the guidance of Davenport & Company, LLC. A component of the plan is to establish relationships and accounts with several brokerage firms to conduct the investment transactions in accordance with the county's investment policy. County representatives have met with the firms and recommend that accounts be established with UBS, Zions Bank, Deutsche Bank, BB&T Capital Markets, J.P Morgan, Bank of America, and Citigroup. The firms do not charge a commission or fee to the County. County finance staff will submit requests for bids to the firms when an investment is determined to be needed in the County's portfolio. The firms will submit bids to the County within a timeframe specified. The winning bid will be authorized by the County designee to execute the transaction. It is requested that the Board of Commissioners designate the County Finance Officer and the County Manager as individuals authorized to conduct transactions on behalf of the County. It is requested that the Chairman and Clerk to the Commissioners execute resolutions stating the authority of the Finance Officer and the County Manager.

6) General Statute requires that County investments and the idle proceeds from the investments be held with a custodian under a custody agreement as a safekeeping agent. Under the proposed agreement, idle principal and income will be invested in a money market fund and earn interest until reinvested. First Citizens was selected based on both price and the County's current relationship with the firm for debt proceeds accounts. The cost for the safe keeping service is \$300 per month minimum. In addition there is a charge of \$12.50 per transaction for Federal Reserve (U.S. Treasury & U.S. Agencies) and \$25.00 per transaction for non-federal reserve. A wire transfer charge of \$15 will apply for each disbursement made by wire transfer. It is requested that the Board authorize the County Manager to execute the Custody Agreement with First-Citizens Bank & Trust Company. It is also requested that the Board authorize the Chairman and the Clerk to certify a resolution naming the County Manager and the County Finance Officer as the authorized representatives of the County and empower them to execute all Trust Business on behalf of the county.

C. Resolution – Transportation Study

Approve a Resolution in support of a Transportation Study.

RESOLUTION IN SUPPORT OF A TRANSPORTATION STUDY

WHEREAS, as the local area that includes Brunswick County has become more thickly settled, and a rapidly increasing population has realized the benefits of living near the sea and maintaining contact with many of life's amenities, and

WHEREAS, Brunswick County has had its share of economic development, including a yacht factory, expansion of a fiber plant, and many industries associated with home construction, and

WHEREAS, maintaining orderly growth will require the planning of infrastructure and health care needs, and must include facilities necessary for evacuation purposes, given the climactic disposition of the region, as well as the strategic location of the Military Ocean Terminal located at Sunny Point, and the Progress Energy site near Southport, and those plans may be benefited by the supplement of toll roads, and

WHEREAS, recent rains produced flooding in many areas of the County, but the Leland area and the southeastern area of the County were greatly affected in terms of flooding, and there has been no comprehensive study that will guide development in those areas of the County that are experiencing rapid growth to help prospective homeowners and developers accommodate traffic development to best support the communities of Brunswick County.

THEREFORE, the Brunswick County Commissioners, meeting in Regular Session, do hereby support and endorse a Transportation Study that will commence with the Leland and Southeastern areas of Brunswick County, in determining the adequacy of road development in the area, said study to include the use of toll roads if necessary to defray the cost of construction, to benefit all Brunswick citizens, and all the persons lucky enough to call this area "home."

This the 21st day of November, 2005.
s/David R. Sandifer, Chair
Brunswick County Commissioners

Attest:
s/Deborah S. (Debby) Gore, CMC
Clerk to the Board

D. Resolution – Progress Energy Expansion

Approve a Resolution in support of Progress Energy Expansion.

RESOLUTION IN SUPPORT OF PROGRESS ENERGY EXPANSION

WHEREAS, Brunswick County has seen unprecedented growth in the recent past, in commerce and tourism, and the need for convenient and plentiful power is a prerequisite to the business of all of the county's citizens, including the agricultural, sylvan, fishing and recreational communities, and

WHEREAS, dependency on foreign oil and a lack of conservative measures have created a market for energy that involves a higher price tag than that of the years past, and

WHEREAS, there have been no new nuclear power generating facilities built in the United States since 1979, whereas there has been no commensurate decline in the demand for electric power, and

WHEREAS, Progress Energy has announced plans recently that may involve the construction of a new nuclear power generating facility, possibly in the County, which facility would gainfully employ many capable persons.

THEREFORE, the Brunswick county Commissioners, meeting in regular session, do hereby endorse any plans that Progress Energy may have developed that would call for an enlargement of the Brunswick site, up to and including the construction of an additional nuclear generator to meet the electric power needs of Brunswick County and the surrounding area.

This the 21st day of November, 2005.
s/David R. Sandifer, Chair
Brunswick County Commissioners

Attest:
s/Deborah S. (Debby) Gore, Clerk to the Board, CMC

VI. PRESENTATION

1. NC/SC GIS Analyst of the Year Award – (Steve Randone)

To recognize Lucinda Hendricks for receiving the NC / SC GIS Analyst of the Year Award.

Steve Randone, GIS/MIS Director presented the Excellence in GIS Award to Lucinda (Cindy) Hendricks for recognition of outstanding accomplishments as a GIS Analyst. This award was presented by the Carolina Urban & Regional Information Systems Association and is from selection and vote of government GIS Professionals across North and South Carolina. Ms. Hendricks received a standing ovation from the Board, Staff and audience.

VII. PUBLIC HEARING

1. GIS – Proposed Street Name – Powerhouse Drive SE

CALL TO ORDER

Chairman Sandifer called the Public Hearing to order at 6:37 p.m. and announced that the purpose of the Hearing was to receive Public Comments relating to the proposed Street name Powerhouse Drive SE.

PUBLIC COMMENTS

Chairman Sandifer asked if any members of the audience wished to address the Board of the proposed Street name. There were no comments from the audience.

ADJOURN

Commissioner Rabon moved to adjourn the Public Hearing at 6:38 p.m. The vote of approval was unanimous.

VIII. ADMINISTRATIVE REPORT

1. GIS – Proposed Street Name – (*Jan Clemmons*)

Staff recommends that the Board of Commissioners approve Second Reading and adoption of the proposed street name, Powerhouse Drive SE.

Steve Randone, GIS/MIS Director informed that the staff of the GIS Department requests approval of Second Reading and Adoption from the Board of Commissioners of the proposed street name as requested by the property owner.

Commissioner Sue moved to approve Second Reading and Adoption of the proposed street name, Powerhouse Drive SE. The vote of approval was unanimous with Vice-Chairman Norris being absent from the meeting.

2. M.I.S. – Position Change – (*Steve Randone*)

Staff recommends that the Board of Commissioners approve changing the Contract Senior Programmer Position to full-time County Position.

Steve Randone informed that Brunswick County has utilized the services of a contracted VB.net programmer for several years at a cost of \$120,000 per year. If permitted, a full time Senior Programmer can be hired at a salary of \$46,061 to \$73,698 based upon education and experience. With benefits added, the County could receive a savings of \$20,000 to \$50,000 per year.

Commissioner Sue moved to approve changing the Contract Senior Programmer Position to a full-time County Position. The vote of approval was unanimous with Vice-Chairman Norris being absent from the meeting.

3. Blue Cross Blue Shield of NC Medicare Supplement – (*Starie Grissett*)

Staff recommends that the Board of Commissioners approve the Blue Cross Blue Shield of NC Medicare Prescription Drug Plan for retirees age 65 and above (Plan J).

Starie Grissett, Human Resources Officer informed that the County currently offers a Blue Cross/Blue Shield of North Carolina (BCBSNC) Medicare Supplement to eligible retirees age 65 and above at a minimum cost of \$326 per month, (a higher rate is paid based on age groups over 65). Due to changes in Medicare benefits the prescription coverage will no longer be available to

County retirees effective January 1, 2006 causing a considerable reduction in benefits. Staff recommends authorization for the County to provide a BCBSNC Prescription Plan to retirees which may be offered through Brunswick Insurance, Supply, NC. This company currently handles our Retiree Medicare Supplement Program. The annual cost for the County's current Medicare Supplement Plan is \$21,960. Effective January 1, 2006, the cost will be \$15,195 for the "drugless" Medicare Supplement Plan and if approved \$3,874 for the BCBSNC Medicare Prescription Drug Plan. The total cost will be \$19,069. With Board approval of this program we will ensure retirees of the continuation of a needed benefit and the County can move forward with transitioning County retirees into the program effective January 1, 2006. The prescription drug benefit under the current County offered Medicare Supplement Plan for retirees will no longer be available. The current cost is \$326/mo and will go to a minimum of \$169.50/mo. This change is driven by Medicare's decision to provide at a cost to eligible persons a Medicare Prescription Drug Plan. Blue Cross has designed two prescription programs that will supplement Medicare's Prescription Drug Plan at a cost of \$52.03 for the Standard Plan and \$59.60 for the Plus Plan. Currently there are sixty-eight retirees covered in the Medicare Supplement Program. Implementing the Blue Cross plan would offer a smoother transition as we are currently serviced by Brunswick Insurance.

Commissioner Moore moved to approve the Blue Cross Blue Shield of NC Medicare Prescription drug Plan (Plan J) for retirees age 65 and above. The vote of approval was unanimous with Vice-Chairman Norris being absent from the meeting.

4. Brunswick County Complex/BCC Wastewater Contracts – (*Marty Lawing*)

Staff recommends that the Board of Commissioners approve the construction contract for improvements to the Brunswick County Complex/Brunswick Community College Wastewater Collection System.

Marty Lawing, County Manager explained that the FY 2005-2006 Capital Improvement Plan includes the necessary improvements to the Brunswick County Government Center sewer collection system to transfer wastewater to the regional collection system that has been constructed on Old Ocean Highway. Funds were also appropriated for the new sewer pump station at the Brunswick Community College campus to replace the package treatment plant. The project was designed by Castles Engineering. Mr. Lawing noted that the Agenda Form stated that two bids were received but actually only one bid was received at the first bid opening held on September 29, 2005 so the project was scheduled for re-bid on November 14, 2005. Budgeted project costs for both projects totaled \$300,000.

Since this project is time sensitive due to the need to connect to the West Brunswick Regional System as soon as possible. Staff recommends deviating from the County purchasing policy and receiving informal quotes for these two projects from utility contractors to see if we can get these two projects below \$300,000.

Commissioner Moore moved to approve recommendations of two waivers from the County purchasing policy to allow informal bids for the Brunswick Community College sewer project and the Government Center Complex sewer project. The vote of approval was unanimous with Vice-Chairman Norris being absent from the meeting.

IX. BOARD APPOINTMENTS

1. Brunswick County Tourism Development Authority – (1 appointment)

Commissioner Moore moved to approve the recommended appointment of Buddy Rudd. Commissioner Rabon moved to close the nominations. The vote of approval was unanimous.

Commissioner Rabon moved to approve the recommended appointment of Buddy Rudd. The vote of approval was unanimous. Mr. Rudd will serve another three year term that will expire October 1, 2008.

X. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication and Affidavit – Waterlines at Sea View

To accept into the system.

Huey Marshall, County Attorney, explained that these installations have been completed and are ready for acceptance into the County System.

Commissioner Sue moved to approve the Deed of Dedication and Affidavit for Waterlines at Sea View. The vote of approval was unanimous (4 ayes).

2. Closed Session 6:51 p.m.

Commissioner Rabon moved to enter Closed Session pursuant to NCGS 143-318.10 (a) (3) and (a) (5) to discuss potential litigation and real estate matters. The vote of approval was unanimous.

Chairman Sandifer called a ten-minute break.

Reconvened 7:46 p.m.

Chairman Sandifer called the Open Session back to order and announced that no action was taken in Closed Session.

XI. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

XII. ADJOURNMENT

Commissioner Moore moved to adjourn the Regular Meeting at 7:46 p.m. The vote of approval was unanimous.

David R. Sandifer, Chairman

Deborah (Debby) Gore, Clerk to the Board